

Amendment to the Claims:

Applicants amends Claims 1 and 2 of the above Application to insert “non-crosslinked” before “cellular” and “ethylenic” after “thermoplastic” in line 1 of each of the claims. Page 9, lines 25 – 26 and 30 supports adding “non-crosslinked” and original Claims 6 and 7 and page 5, line 4 support adding “ethylenic”. Therefore neither amendment constitutes new matter.

Applicants amend Claim 7 to substitute “thermoplastic ethylenic” for “olefinic”. Applicant also amends Claims 9 and 12 to insert “ethylenic” before “polymer” and delete “further” after “polymer”. The amendments make Claim 7, 9 and 12 consistent with amended Claim 1 and find support for “ethylenic” in original Claims 6 and 7 and page 5, line 4. The amendments of Claims 7, 9 and 12 therefore do not constitute new matter.

Applicant cancels Claims 6, 8 and 20 in view of the amendments to Claims 1 and 2. Canceling Claim 6 necessitates amending Claim 7 to make it depend directly from Claim 1 rather than indirectly via Claim 6. The change in dependency does not constitute new matter. Canceling Claim 8 causes cancellation of Claim 18. Applicant also cancels Claim 11 as it appears to duplicate amended Claim 9.

Applicant rewrites Claim 16 in independent form incorporating the limitations of Claims 1 and 8 from which it depends, respectively, indirectly and directly as originally filed. Rewritten Claim 16 draws full support from originally filed Claims 1, 8 and 16 and does not constitute new matter.

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently amended) A non-crosslinked cellular thermoplastic ethylenic polymer foam having an average cell diameter of greater than 4 mm.
2. (Currently amended) A non-crosslinked cellular thermoplastic ethylenic polymer foam having an average cell diameter of greater than 2 mm wherein greater than 50 percent of the cells have been opened by mechanical means.
3. (Original) A cellular thermoplastic polymer foam according to Claim 2 wherein the average cell diameter is greater than 3 mm.
4. (Original) A cellular thermoplastic polymer foam according to Claim 3 wherein the average cell diameter is greater than 4 mm.
5. (Original) A foam according to Claim 1 further comprising a fire retardant.
6. (Cancelled)
7. (Currently amended) A foam according to Claim 6-1 wherein the thermoplastic ethylenic olefinic polymer is selected from ethylenic polymers, copolymers, or blends thereof.
8. (Cancelled)
9. (Currently amended) A foam according to Claim 8-1, wherein the thermoplastic ethylenic polymer further comprise(s) polyethylene resin(s).
10. (Original) A foam according to Claim 7, wherein the ethylenic polymer is a low density polyethylene.
11. (Cancelled)
12. (Currently amended) A foam according to Claim 9, wherein the thermoplastic ethylenic polymer further comprises an ethylenic copolymer and a low density polyethylene.
13. (Original) A foam according to Claim 1, wherein the cellular thermoplastic foam is an extruded foam in which the cells are elongated and the orientation of cell elongation is in the extrusion direction.

14. (Original) A foam according to Claim 2, wherein the cellular thermoplastic foam is an extruded foam in which the cells are elongated and the orientation of cell elongation is in the extrusion direction.

15. (Original) A foam according to Claim 7, wherein the cellular thermoplastic foam is an extruded foam in which the cells are elongated and the orientation of cell elongation is in the extrusion direction.

16. (Currently amended) A non-crosslinked foam according to Claim 8, ~~wherein the cellular thermoplastic polypropylene foam having an average cell diameter of greater than 4 mm, the foam being~~ is an extruded foam in which the cells are elongated and the orientation of cell elongation is in the extrusion direction.

17. (Original) A foam according to Claim 7, wherein the cellular thermoplastic foam is in a coalesced strand form.

18. (Cancelled)

19. (Original) A foam according to Claim 14, wherein the cellular thermoplastic foam is in a coalesced strand form.

20. (Cancelled)